

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ENOCH PITTMAN,

Defendant.

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CASE NO. 8:07CR32

ORDER

This matter is before the Court on the Defendant's motion to compel the government to file a motion for reduction of sentence (Filing No. 77).

As the plea agreement states, the decision to file a motion under Criminal Rule of Procedure 35 is left solely to the discretion of the U.S. Attorney.

IT IS ORDERED that the Defendant's motion to compel the government to file a motion for reduction of sentence (Filing No. 77) is denied.

DATED this 28th day of September, 2009.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge